

**First Reading:** \_\_\_\_\_  
**Second Reading:** \_\_\_\_\_

MR-2013-098  
Brad and Reta Standefer

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE CLOSING AND ABANDONING AN  
OPENED ALLEY OFF OF THE 3900 BLOCK OF FAIRFAX  
DRIVE, SUBJECT TO CERTAIN CONDITIONS.

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SECTION 1. BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF  
CHATTANOOGA, TENNESSEE, That an opened alley off of the 3900 block of Fairfax Drive,  
more particularly described herein, and as shown on the maps attached hereto and made a part  
hereof by reference, be and is hereby closed and abandoned:

Abandonment of an opened alley beginning at the northwest corner  
of Lot 9, Block 2, Plan of Fairfax Heights, Plat Book 15, Page 96,  
ROHC, thence east some 185 feet to the northeast corner of Lot 25,  
Block 2, of the same subdivision. Said alley separates Lots 9 and  
25 from two unplatted tracts of land located at 4062 and 4066  
Hixson Pike. Tax Map Nos. 118-D-C-001 thru 003 and 031,

SECTION 2. BE IT FURTHER ORDAINED, That this closure and abandonment shall  
be subject to the retention of a full-width utility easement for the said utilities.

SECTION 3. BE IT FURTHER ORDAINED, That this Ordinance shall take effect two  
(2) weeks from and after its passage.

Passed on second and final reading:\_\_\_\_\_

\_\_\_\_\_  
CHAIRPERSON

APPROVED:\_\_\_\_ DISAPPROVED:\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_  
MAYOR

/mms

# City of Chattanooga



## Resolution Request Form

(This form is only required for resolutions requiring expenditure of City funds)

Date: 9/30/13

Preparer: William C. Payne

Department: Public Works - Engineering

Brief Description of Purpose for Resolution:

Resolution Number (if approved by Council): \_\_\_\_\_ District 2

A City Council Action is requested to approve the request for Brad & Reta Standefer for the abandonment of an opened alley off of the 3900 block of Fairfax Drive with AT&T Southeast, Comcast & EPB maintaining their full easement, as referenced in Case No. 2013-098.

Name of Vendor/Contractor/Grant, etc.	_____ N/A	New Contract/Project? (Yes or No)	_____ N/A
Total project cost \$	_____ N/A	Funds Budgeted? (YES or NO)	_____ N/A
Total City of Chattanooga Portion \$	_____ N/A	Provide Fund	_____ N/A
City Amount Funded \$	_____ N/A	Provide Cost Center	_____ N/A
New City Funding Required \$	_____ N/A	Proposed Funding Source if not budgeted	_____ N/A
City's Match Percentage %	_____ N/A	Grant Period (if applicable)	_____ N/A

List all other funding sources and amount for each contributor.

Amount(s)	Grantor(s)
_____	_____
_____	_____
_____	_____
\$ _____	_____

Agency Grant Number \_\_\_\_\_

CFDA Number if known \_\_\_\_\_

Other comments: (Include contingency amount, contractor, and other information useful in preparing resolution)

Approved by:  \_\_\_\_\_  
DESIGNATED OFFICIAL/ADMINISTRATOR

Reviewed by: FINANCE OFFICE

Please submit completed form to @budget, City Attorney and City Finance Officer

# Memorandum

**To:** Bill Payne  
**From:** Ed Bowen  
**cc:** Dennis Malone  
**Date:** September 26, 2013  
**Re:** Brad and Reta Standefer  
Case No. MR 2013-098  
3900 Block of Fairfax Drive

## Recommendations Regarding Abandonment Request

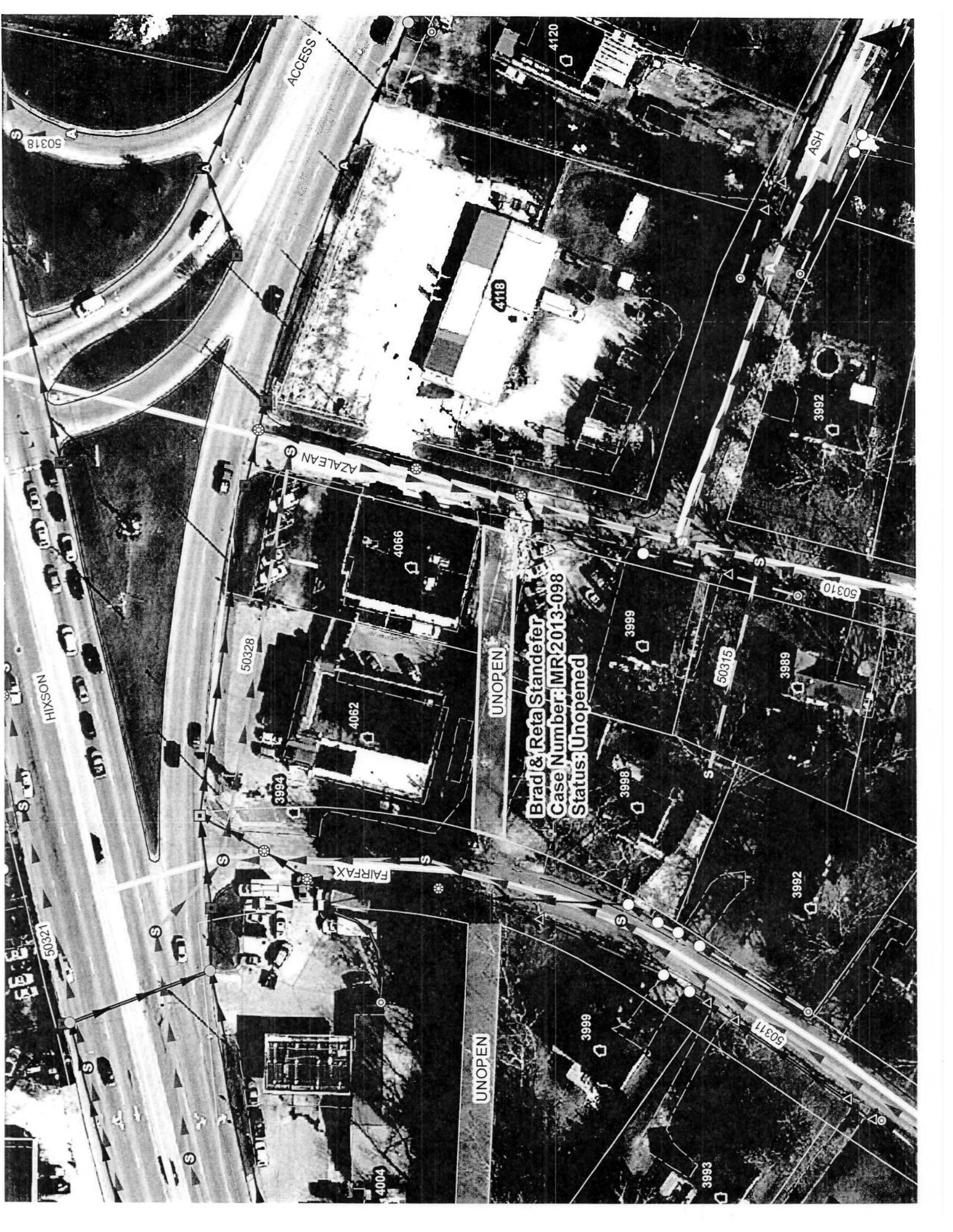
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I have completed the review of Brad and Reta Standefer's request regarding abandonment of an unopened alley beginning at the northwest corner of Lot 9, Block 2, Plan of Fairfax Heights, Plat Book 15, Page 96, ROHC, thence east some 185 feet to the northeast corner of Lot 25, Block 2, of the same subdivision. Said alley separates Lots 9 and 25 from two unplatted tracts of land located at 4062 and 4066 Hixson Pike. Tax Maps 118-D-C-001 thru 003 and 031 as shown on the attached map. My comments are as follows:

1. The subject portion of the said alley is approximately 20' in width and 185' in length for an area of approximately 3,700 sq ft.
2. The City of Chattanooga has no sanitary sewer infrastructure in the subject portion the said alley.
3. The Planning Commission recommended approval.
4. The following utility owners noted objections to the abandonment:
  - Comcast Cable
  - Electric Power Board
  - Bell South
  - AT&T

Therefore, I recommend the following: *The request for abandonment of the subject portion of the said alley is approved with the following condition:*

- *Subject to the retention of a full-width utility easement for the said utilities.*



**Brad & Reta Standefer**  
**Case Number: MR2013-098**  
**Status: Unopened**

UNOPEN

UNOPEN

MR-2013-098 City of Chattanooga  
July 8, 2013

## RESOLUTION

WHEREAS, Brad and Reta Standefer petitioned the Chattanooga-Hamilton County Regional Planning Commission to recommend to the Members of the City Council of the City of Chattanooga the abandonment of an opened alley off the 3900 block of Fairfax Drive.

Abandonment of an opened alley beginning at the northwest corner of Lot 9, Block 2, Plan of Fairfax Heights, Plat Book 15, Page 96, ROHC, thence east some 185 feet to the northeast corner of Lot 25, Block 2, of the same subdivision. Said alley separates Lots 9 and 25 from two unplatted tracts of land located at 4062 and 4066 Hixson Pike. Tax Maps 118-D-C-001 thru 003 and 031 as shown on the attached map.

AND WHEREAS, the Planning Commission held a public hearing on this petition on July 8, 2013,

AND WHEREAS, the Planning Commission heard and considered all statements favoring the petition,

AND WHEREAS, no one was present in opposition to the petition,

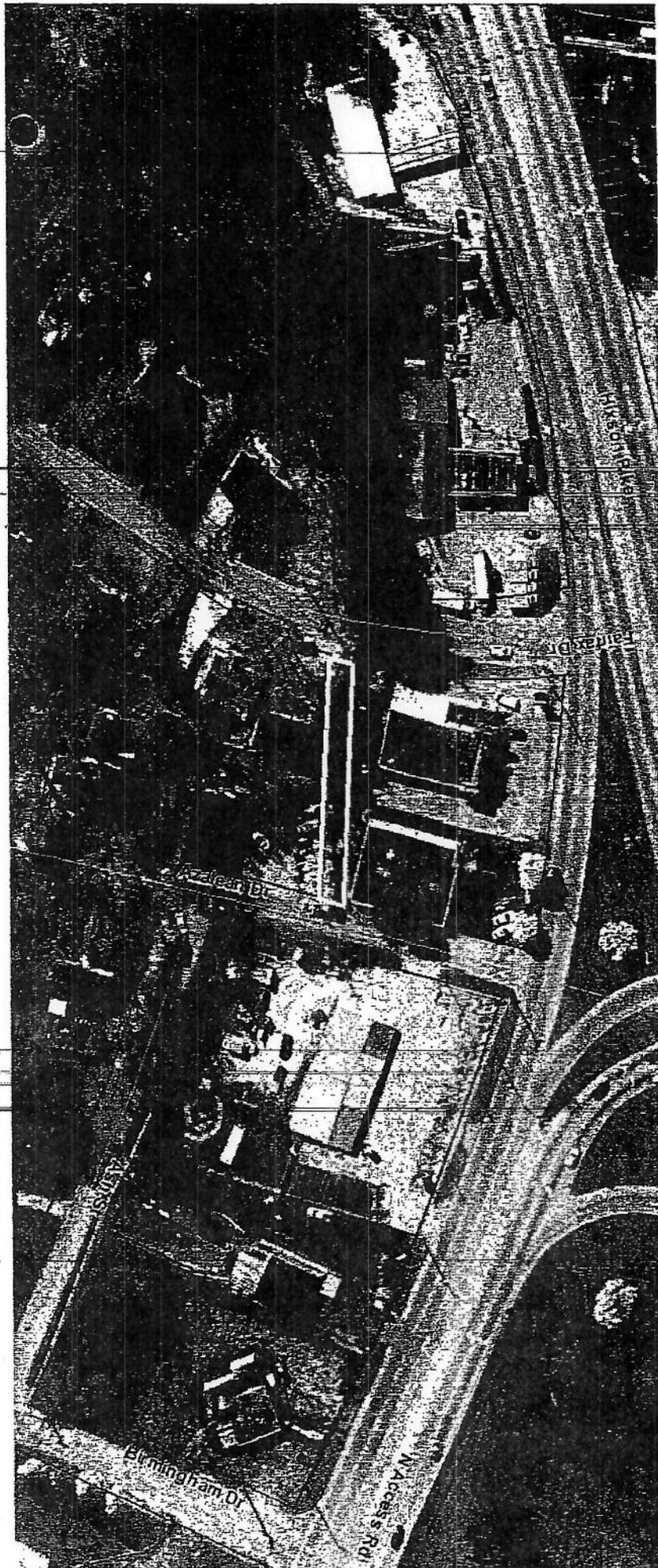
AND WHEREAS, the Planning Commission has studied the petition in relation to existing zoning and land use and potential patterns of development.

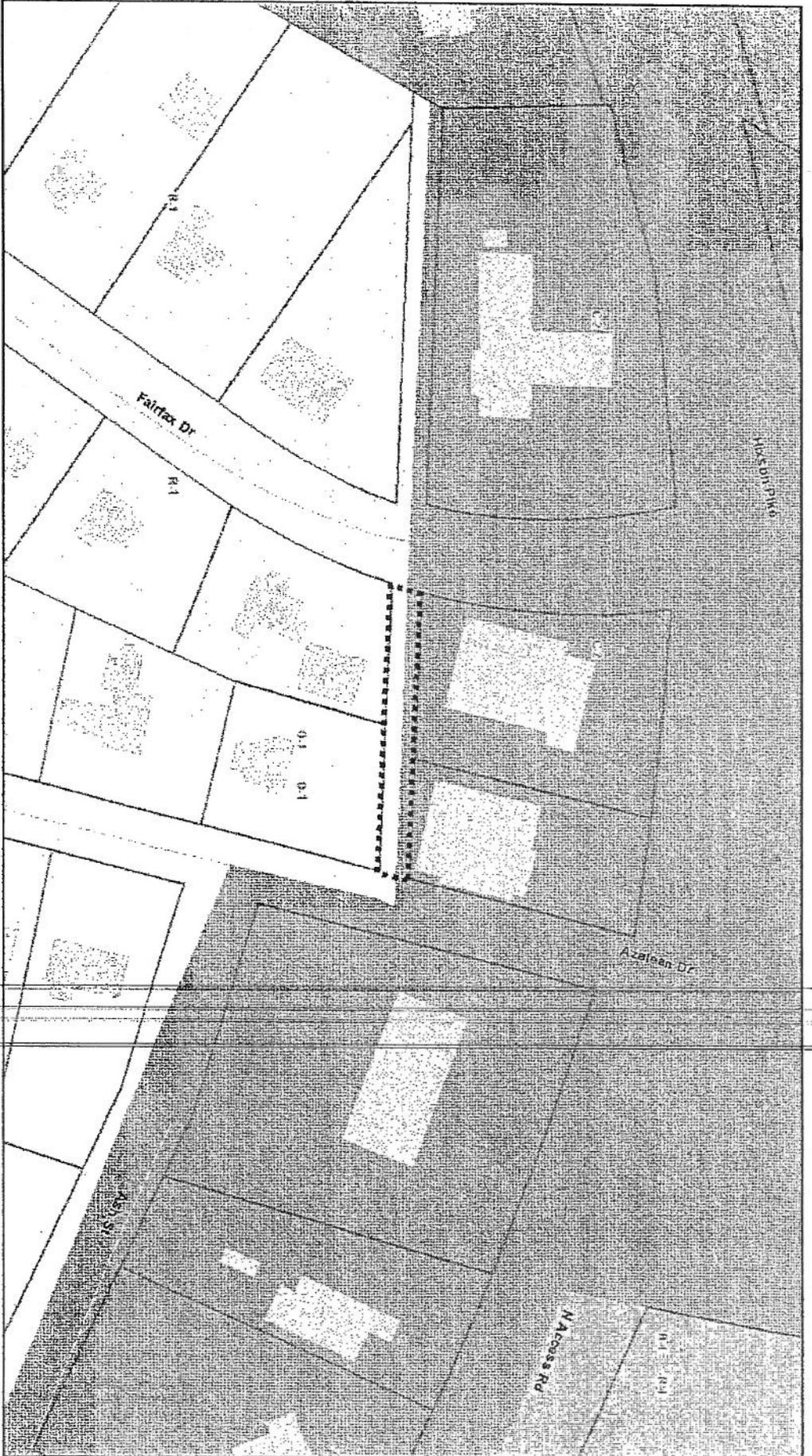
NOW THEREFORE, BE IT RESOLVED that the Planning Commission, on July 8, 2013, recommended to the Members of the City Council of the City of Chattanooga that this petition be approved.

Respectfully submitted,



John Bridger  
Secretary





**MR 2013-098 Abandonment of an Alley located in the 3900 blk of Fairfax Dr**

PLANNING COMMISSION RECOMMENDATION FOR CASE NO. MR-2013-098: Approve.



Chatahoochee-Hamilton County Regional Planning Agency

80 ft





REGIONAL PLANNING AGENCY  
 DEVELOPMENT RESOURCE CENTER  
 DEVELOPMENT SERVICES 1250 MARKET ST.  
 Chattanooga, Tennessee 37402  
 423-668-2287

Dear Property Owner:

This notice is sent to you as a courtesy to inform you that an application has been made for a change in your neighborhood. A description of the proposed change is included below.

This notice does not require action on your part, nor is it a summons. However, if you wish to support or oppose the proposed change, you may want to attend a public hearing to be held by the Chattanooga-Hamilton County Regional Planning Commission.

The hearing will take place at **1:00 p.m. In County Commission Room, Hamilton County Court House, 4<sup>th</sup> Floor, 625 Georgia Avenue, Chattanooga, Tennessee.**

The Planning Commission recommendation will be sent to the local government having jurisdiction, for their action.

**Schedules of when cases will be heard by local governments (if not deferred at Planning Commission)**

**City of Chattanooga:** Second Tuesday of the following month, 6:00 p.m. (closures will be placed on agenda by the City Engineers Office)

**Hamilton County:** Third Wednesday of the following month, 9:30 a.m.

**DATE OF PUBLIC HEARING:** July 8<sup>th</sup>, 2013

**TIME:** 1:00 PM

**LOCATION:** County Commission Room, 4<sup>th</sup> Floor  
 Hamilton County Court House  
 625 Georgia Avenue  
 Chattanooga, Tennessee 37402

**CASE NO.** MR 2013-098

**JURISDICTION:** Chattanooga

**APPLICANT:** Brad & Reta Standefer

**TYPE OF CHANGE:** Beginning at the 3900 block of Fairfax Drive going in a Easterly direction approximately 185 feet to Azalean Drive

**LOCATION:** Alley off of the 3900 Block of Fairfax Drive

**(SEE MAP ON REVERSE SIDE)**

*Spoke w/ Charles Hyman on 7/2/13  
 + gave status*

# CLOSURE/ABANDONMENT APPLICATION FORM

<b>CASE NUMBER: MR 2013-098</b>		<b>Date Submitted: 06-10-2013</b>	
(Sections 1-6 below to be filled out by Applicant- RPA staff will assist, if needed)			
<b>1 Applicant Request</b> (Mandatory Referral per TCA 13-4-104)			
<b>Closure/Abandonment</b>	<input checked="" type="checkbox"/> Alley	<input type="checkbox"/> Street	<input type="checkbox"/> Sewer
	Name of Street or Right-Of-Way: Unnamed Alley Way		
	<input checked="" type="checkbox"/> Open	<input type="checkbox"/> Unopened	Length/Width:
	Beginning: At the 3900 block of Fairfax Drive going in a Easterly direction		
	Ending: approximately 185 feet to Azalean Drive		
<b>2 Property Information</b>			
Property Address:	Alley off of the 3900 block of Fairfax Drive		
Property Tax Map Number(s):	118D-C-001, 002, 003, & 031		
<b>3 Proposed Development</b>			
Reason for Request and/or Proposed Use:	Want to add a storage building/addition to back of existing Pharmacy building		
<b>4 Site Characteristics</b>			
Current Zoning:	C-2 & R-1		
Current Use:	Open Alley Way		
Adjacent Uses:	Residential & Commercial		
<b>5 Applicant Information</b>			
All communication will be with the Applicant. If the applicant is not the property owner, the RPA requires a letter from the property owner(s) confirming that the applicant has permission to file this application on his/her behalf.			
Name: Brad & Reta Standefer		Address: 4062 Hixson Pike	
Check one:	<input checked="" type="checkbox"/> I am the property owner	<input type="checkbox"/> I am not the property owner	
City: Chattanooga	State: TN	Zip Code: 37415	Email: bradstandefer@comcast.net
Phone 1: 423-877-3568	Phone 2: 423-309-0596	Phone 3:	Fax: 423-877-9332
<b>6 Property Owner Information (if not applicant)</b>			
Name: Same		Phone:	
Address:			
<b>Office Use Only:</b>			
Planning District: 5		Neighborhood: Fairfax-Bagwell	
Hamilton Co. Comm. District: 2	Chatt. Council District: 2	Other Municipality:	
Staff Rec:	PC Action/Date:	Legislative Action/Date/Ordinance:	
<b>Checklist</b>			
<input checked="" type="checkbox"/> Application Complete	<input checked="" type="checkbox"/> Ownership Verification	<input checked="" type="checkbox"/> Map of Proposed Zoning Area with dimensions	
<input type="checkbox"/> Site Plan, if required	Total Acres to be considered:	<input checked="" type="checkbox"/> Deeds	<input type="checkbox"/> Plats, if applicable
Deed Book(s): 9332-408, 9332-405, & 4915-217			
Plat Book/Page: N/A		Notice Signs	Number of Notice Signs:
<input checked="" type="checkbox"/> Filing Fee: 350.00	Cash	<input checked="" type="checkbox"/> Check	Check Number: 1141
Planning Commission meeting date: July 8, 2013		Application processed by: Marcia Parker	

Charles (Point of Contact)  
 \* 423-877-3568

RPA STAFF RECOMMENDATION

Case Number: MR 2013-098 PC Meeting Date: 07-08-2013

STAFF RECOMMENDATION: APPROVE

Land Use & Transportation Comments

Planning Staff:

Applicant Request Overview

The applicant is requesting to abandon an unopened alley off of the 3900 block of Fairfax Drive, for the purposes of combing the property. The property owner appears to need the additional land gained from the abandonment of the alley right-of-way to combine existing parcels for the future construction of an addition to an existing building.

Site Description

The parcels abutting the property are presently utilized as non-residential uses such as a pharmacy and a single-family residential dwelling. The existing alley appears to have never been opened as an alley. This alley right-of-way is classified as a Tier 3 right-of-way. Tier 3 right-of-ways are classified as not being opened or which have never been opened.

Zoning History

The properties abutting the right-of-way include C-2 Convenience Commercial, O-1 Office, and R-1 Residential.

Plans/Policies

The property is located in the Hixson-North River Community Plan (2005). The community plan does not provide any guidance on mandatory referrals, such as the closure and abandonment of unopened right-of-ways.

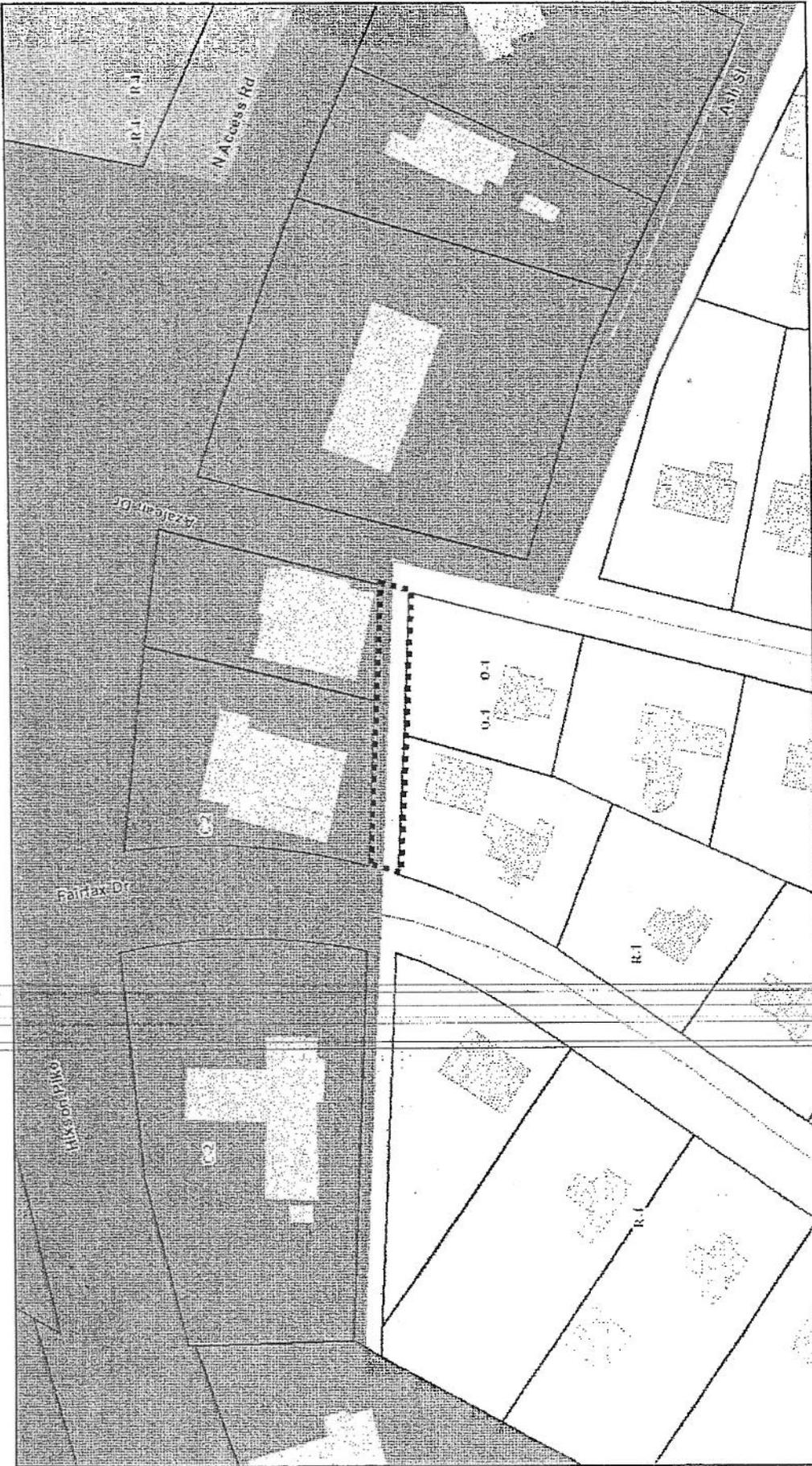
Staff Recommendation

Staff is recommending approval of the request. The request appears to be reasonable and would not land lock any parcel of property.

Infrastructure & Operational Comments

Public Works Staff:

All land development projects are reviewed by City Engineering & Water Quality staff, Traffic Engineering & Operations staff, and the Land Development Office staff. In addition to the requirements of the City of Chattanooga Zoning Ordinance, all land development is further required to comply with current City of Chattanooga traffic regulations, building and development codes, storm water/water quality regulations, and the landscape ordinance.



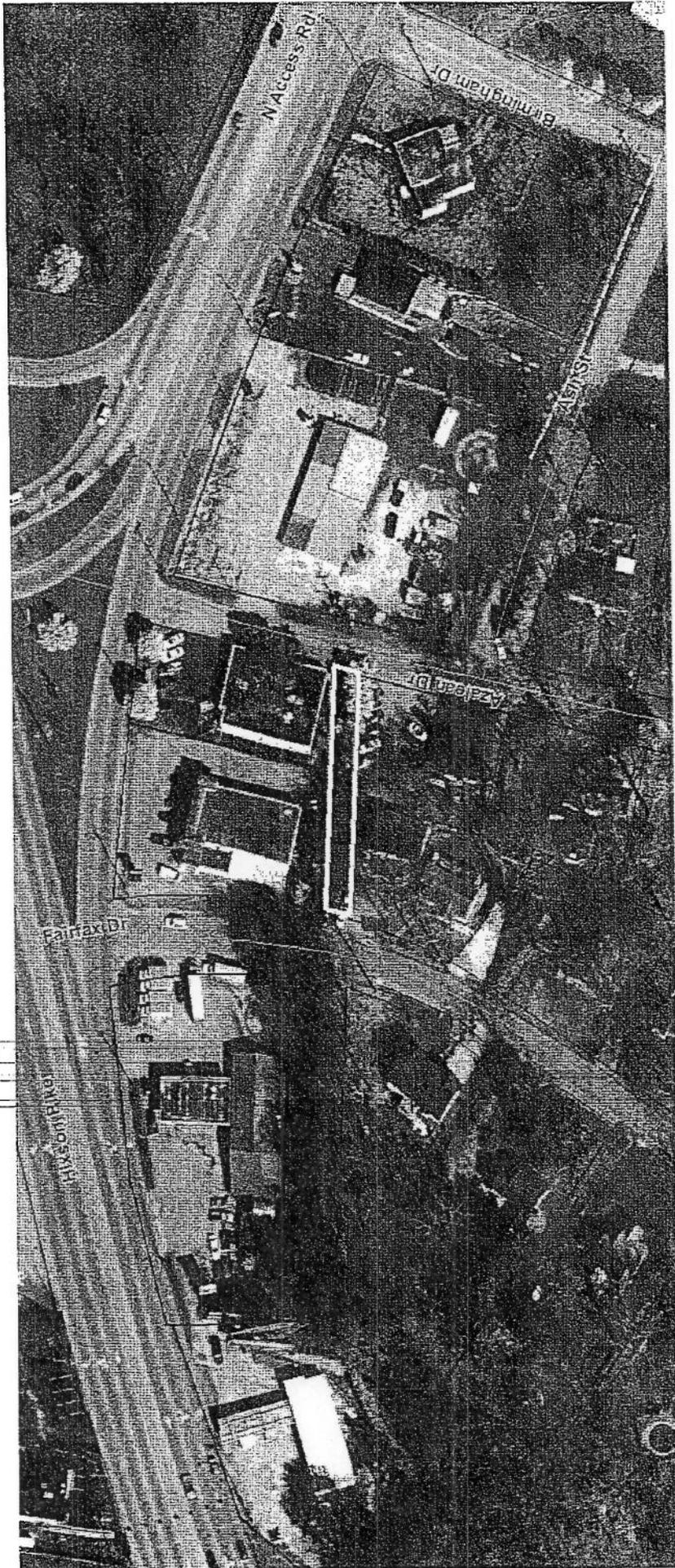
**MR 2013-098 Abandonment of an Alley in the 3900 blk of Fairfax Dr**



92 ft



Chattanooga Hamilton County Regional Planning Agency





AT&T Southeast  
300 East ML King Blvd.  
Chattanooga, TN 37403

T: (423)752-9018  
F: (423)267-0120  
www.att.com

June 18, 2013

Mr. Greg L. Haynes, Director  
Chattanooga-Hamilton County Regional Planning Agency  
Development Resource Center  
1250 Market Street, Suite 2000  
Chattanooga, TN 37402

RE: Closures and Abandonment's Case Numbers MR2013-095 and MR2013-098

Dear Mr. Haynes:

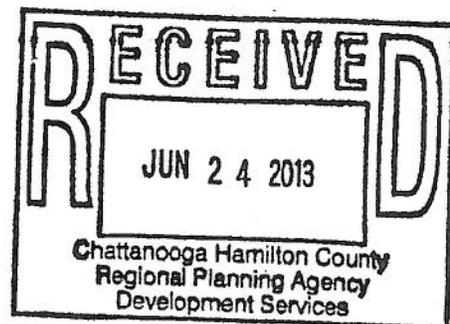
In regards to Case Numbers MR2013-095 and MR2013-098 for the July 8, 2013, Planning Commission Meeting Agenda, AT&T Southeast cannot agree to closure since facilities are in this area. Please reserve any existing or future utility easements inside the proposed abandonment areas.

If additional information is needed, please contact me at 752-9018.

Thank You,

Shaun Prigmore  
Area Manager OSP Planning & Engineering Design

cc: RPC File



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Comcast Cable  
2030 E Polymer Drive, P.O. Box 182249  
Chattanooga, TN 37422

June 18, 2013

Regional Planning Agency  
1250 Market Street  
Suite 2000 Development Resource Center  
Chattanooga, Tennessee 37402

RE:Case # 2013-092, 2013-095, 2013-098

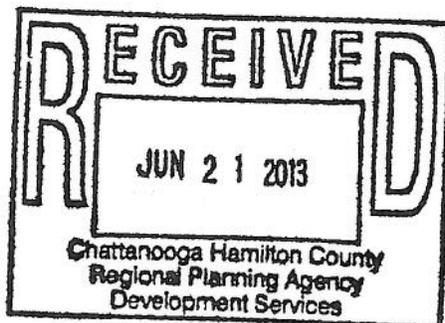
Dear Marcia:

Comcast does concur to the closure case(s). Comcast has active service, on a portion of the proposed closure. Comcast would agree to the closure if the existing Right of Way/Easements remained in effect and if any rerouting of existing plant would be required it would be at no cost to Comcast.

Sincerely,

*Mike Schlote*

Mike Schlote  
Construction Coordinator



P. O. Box 182255  
Chattanooga, Tennessee  
37422-7255  
www.epb.net

June 19, 2013



Mr. Greg L. Haynes, Director  
Chattanooga-Hamilton County Regional Planning Agency  
Suite 2000, Development Resource Center  
1250 Market Street  
Chattanooga, TN 37402

RE: Case No. 2013-098

Dear Mr. Haynes:

EPB has located within the petitioned right-of-way, electrical and communications facilities which must be maintained for the use and benefit of our customers. We will not object to the closure, however, provided the entire petitioned right-of-way is reserved for the operation, maintenance, rebuilding, and replacement of these facilities and for ingress and egress to them.

Thank you for the courtesy notice.

Sincerely,

A handwritten signature in cursive script, appearing to read 'William McGhee', is written above the typed name.

William McGhee  
Right-of-Way Agent  
EPB

# Abandonment/Closure Cards

Case No.	Closure O.K.	
	Yes	No
<del>MR 2013-090</del>		
MR 2013-092	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
MR 2013-095	<input checked="" type="checkbox"/>	
MR 2013-098	<input checked="" type="checkbox"/>	
<input checked="" type="checkbox"/> RETAIN 20' SANITARY SEWER AND STORM EASEMENT		

BAND  
6/2/13

\* Comments forthcoming

B

### Abandonment/Closure Cards

Case No.	Closure O.K.	
	Yes	No
<del>MR 2013-092</del>		
MR 2013-092		X
MR 2013-095	✓	
MR 2013-098	✓	

CHY F Engineer  
Bill Payne

BWD  
6/13/13

THI P. B.  
Billy McElhner

\* Comments forthcoming

A

### Abandonment/Closure Cards

Case No.	Closure O.K.	
	Yes	No
MR 2013-090	✓	
MR 2013-092	✓	
MR 2013-095		✓
MR 2013-098		✓

\* Comments forthcoming

### Abandonment/Closure Cards

Case No.	Closure O.K.	
	Yes	No
MR 2013-090	X	
MR 2013-092		X
MR 2013-095		X
MR 2013-098		X

Comcast Cable  
Mike Schlotz

\* Comments forthcoming

### Abandonment/Closure Cards

Case No.	Closure O.K.	
	Yes	No
MR 2013-090	✓	
MR 2013-092	✓	
MR 2013-095		✓
MR 2013-098		✓

\* Comments forthcoming

Beall South  
Don Mounts

### Abandonment/Closure Cards

Case No.	Closure O.K.	
	Yes	No
MR 2013-090	<input checked="" type="checkbox"/>	<input type="checkbox"/>
MR 2013-092	<input checked="" type="checkbox"/>	<input type="checkbox"/>
MR 2013-098	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
MR 2013-095	<input checked="" type="checkbox"/>	<input type="checkbox"/>
OK - No drawing attached		
no explanation of work		
Charalab Chapel 7-1-13		

MR 2013-098 OK by E-mail see Case 7-8-13  
 Cattanogea Gas Co.  
 Charalab Hdr

OK

\* Comments forthcoming

Chat Hire Dept  
 Randall Ferron

### Abandonment/Closure Cards

Case No.	Closure O.K.	
	Yes	No
<del>MR 2013-092</del>	<input type="checkbox"/>	<input type="checkbox"/>
MR 2013-092	<input type="checkbox"/>	<input checked="" type="checkbox"/>
MR 2013-095	<input type="checkbox"/>	<input checked="" type="checkbox"/>
MR 2013-098	<input type="checkbox"/>	<input checked="" type="checkbox"/>

\* Comments forthcoming

### Abandonment/Closure Cards

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	Yes	No
MR 2013-090	<input checked="" type="checkbox"/>	<input type="checkbox"/>
MR 2013-092	<input checked="" type="checkbox"/>	<input type="checkbox"/>
MR 2013-095	<input checked="" type="checkbox"/>	<input type="checkbox"/>
MR 2013-098	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Dept. of Transportation  
 Mr. Jackie Wolff

\* Comments forthcoming

Dept of Transportation  
 Ray Rucker

### Abandonment/Closure Cards

Case No.	Closure O.K.	
	Yes	No
MR 2013-090	<input checked="" type="checkbox"/>	<input type="checkbox"/>
MR 2013-092	<input checked="" type="checkbox"/>	<input type="checkbox"/>
MR 2013-095	<input checked="" type="checkbox"/>	<input type="checkbox"/>
MR 2013-098	<input checked="" type="checkbox"/>	<input type="checkbox"/>

\* Comments forthcoming

### Abandonment/Closure Cards

Case No.	Closure O.K.	
	Yes	No
MR 2013-090	✓	
MR 2013-092	✓	
MR 2013-095	✓	
MR 2013-098	✓	

\* Comments forthcoming

W.V.T.#  
Cleveland Games

### Abandonment/Closure Cards

Case No.	Closure O.K.	
	Yes	No
MR 2013-090	✓	
MR 2013-092	✓	
MR 2013-095	✓	
<del>MR 2013-098</del>		

\* Comments forthcoming

In American water co.  
Robbie Harvey

### Abandonment/Closure Cards

Case No.	Closure O.K.	
	Yes	No
<del>MR 2013-092</del>		
MR 2013-092	✓	
MR 2013-095	✓	
MR 2013-098	✓	
<del>MR 2013-098</del>		

\* Comments forthcoming

Chattanooga Police Dept  
David Frye

### Abandonment/Closure Cards

Case No.	Closure O.K.	
	Yes	No
MR 2013-098	✓	

\* Comments forthcoming

Hixson Utility District  
Carolyn Hickman  
Lyold Jackson

